

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

CHAMBERS OF  
J. FREDERICK MOTZ  
UNITED STATES DISTRICT JUDGE

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January 5, 2012

MEMO TO COUNSEL RE: The Equal Rights Center v. Richman Property Services, Inc.  
Civil No. JFM-10-3038

Dear Counsel:

I have reviewed the memoranda submitted in connection with plaintiff's motion to compel (document 58). The motion is granted in part and denied in part.

I am satisfied that under the circumstances the motion was not untimely. It made sense for plaintiff to wait until defendants had completed their discovery responses before filing the motion that outlined the remaining areas of disagreement between the parties. I am also satisfied that to the extent that because of the way they were worded the interrogatories exceeded the allowable number, defendants have waived the objection. Further, as to defendant's complaint that plaintiff is seeking information protected by the attorney/client privilege or the work product privilege, defendants may in their response identify the communications they assert are protected.

I am also satisfied that defendant should produce copies of the insurance policies requested.

The one aspect in which plaintiff's motion is denied is its request for financial information. In my judgment ruling on that request should be deferred until a later stage of this litigation, perhaps after a summary judgment ruling when plaintiff has made out a *prima facie* case that it is entitled to recover punitive damages.

Despite the informal nature of this letter, it should be flagged as an opinion and docketed as an order.

Very truly yours,

/s/

J. Frederick Motz  
United States District Judge